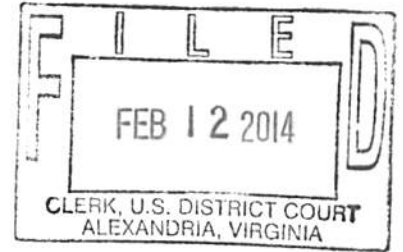


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division



SAFEWAY, INC.,
as subrogee of DEEPAK POUDYAL,

Plaintiff,

v.

Civil Action No. 1:14CV147

LO/TCB

NFI INTERACTIVE LOGISTICS, LLC,

Defendant.

NOTICE OF REMOVAL

NFI Interactive Logistics, LLC ("NFI"), by counsel, pursuant to 28 U.S.C. §§ 1441 and 1446, hereby file this Notice of Removal on the following grounds:

1. Plaintiff commenced this civil action by filing a Complaint in the Circuit Court of the County of Fairfax, Virginia on or about January 8, 2014. This is an action in which the Plaintiff Safeway, Inc. ("Safeway") claims that its employee, Deepak Poudyal, suffered a personal injury while in the course and scope of his employment with Safeway. Safeway claims that Poudyal suffered a workplace injury as a result of conduct by NFI. Safeway claims that Poudyal received medical and lost wage benefits under the Virginia Workers' Compensation Act. Safeway seeks to recover from NFI all amounts paid by Safeway to Poudyal in the form of workers' compensation benefits, and Safeway states that Poudyal is entitled to recover damages for the personal injuries he received.

2. A copy of the Complaint was served on the registered agent for NFI on or about January 15, 2014. A copy of the Complaint and Summons are attached as Exhibit A.

3. The Complaint and an Answer on behalf of NFI are the only pleadings that have been filed to date by the parties. A copy of the Answer is attached as Exhibit B.

4. There have been no further proceedings in this action.

5. The amount in controversy in this action, exclusive of interest and costs, exceeds \$75,000.00.

6. Upon information and belief, Plaintiff Safeway is a Delaware corporation with its principal place of business in California. Poudyal is a citizen of Virginia. The above information in this paragraph is true currently and was true at the time the instant lawsuit was filed.

7. NFI was formed in New Jersey and has its principal place of business in New Jersey. The members of NFI, which is a limited liability company, are Irwin Brown, Sidney Brown and Jeffrey Brown. Irwin Brown is a citizen of Texas, and Sidney Brown and Jeffrey Brown are citizens of New Jersey. The above information in this paragraph is true currently and was true at the time the instant lawsuit was filed.

8. This action involves a controversy wholly between citizens of different states. There is complete diversity of citizenship.

9. This Court has original jurisdiction in this matter pursuant to 28 U.S.C. § 1332(a), and the action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(a).

10. Defendant desires to remove this action to this Court.

11. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days after receipt by Defendant of Plaintiff's Complaint or Summons through service.

WHEREFORE, NFI Interactive Logistics, LLC, by counsel, respectfully requests that this action be removed from the Circuit Court of the County of Fairfax, Virginia, to this Court.

NEI INTERACTIVE LOGISTICS, LLC

By 
Counsel

D. Cameron Beck, Jr. (VSB #39195)
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CERTIFICATE

I hereby certify that a true copy of the foregoing was mailed via first class mail, postage prepaid, this 11th day of February 2014, to:

Charles Y. Sipe
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1412 Sachem Place, Suite 100
Charlottesville, VA 22901
Counsel for Plaintiff

John T. Frey, Clerk
Fairfax County Circuit Court
4110 Chain Bridge Road
Fairfax, VA 22030.